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DECLARATION FOR PATENT APPLICATION

As the below-named inventors, we hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled GENE DISCOVERY FOR THE SYSTEM ASSIGNMENT OF GENE FUNCTION, the specification of which

_____ is attached hereto as Attorney Docket No. _____).

__xx__ was filed on January 31, 2002

as Application Serial No. 10/062,299
(Attorney Docket No. P-IS 5150)

and was amended on (or amended through) _____. (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to myself to be material to patentability as defined in Title 37, Code of Federal Regulations, Sec. 1.56.

Under Sec. 1.56, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) It

establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or (2) It refutes, or is inconsistent with, a position the applicant takes in: (a) Opposing an argument of unpatentability relied on by the U.S. Patent and Trademark Office, or (b) Asserting an argument of patentability.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Leroy E. Hood

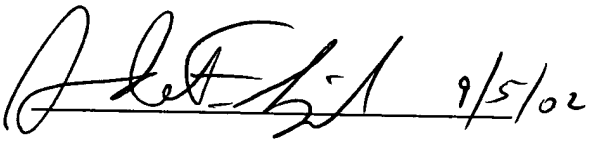
Inventor's signature:

Date: Leroy E. Hood

Residence: Seattle, Washington

Citizenship: United States of America

Post Office Address: 6411 N.E. Windermere Road
Seattle, Washington 98105

Full name of second inventor:	**Andrew F. Siegel**
Inventor's signature:	
Date:	9/5/02
Residence:	Shoreline, Washington 98133
Citizenship:	USA
Mailing Address:	19243 Ashworth North Shoreline, Washington 98133

Full name of third inventor:	Trey E. Ideker
Inventor's signature:	
Date:	
Residence:	Cambridge, Massachusetts 02138
Citizenship:	USA
Mailing Address:	34 Gorham Street, #3 Cambridge, Massachusetts 02138

Full name of second inventor:	**Andrew F. Siegel**
Inventor's signature:	
Date:	
Residence:	Shoreline, Washington 98133
Citizenship:	USA
Mailing Address:	19243 Ashworth North Shoreline, Washington 98133

Full name of third inventor:	Trey E. Ideker
Inventor's signature:	Trey Ideker
Date:	Sept 11, 2002
Residence:	Cambridge, Massachusetts 02138
Citizenship:	USA
Mailing Address:	34 Gorham Street, #3 Cambridge, Massachusetts 02138

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POWER OF ATTORNEY FOR PATENT APPLICATION BY ASSIGNEE

Assignee THE INSTITUTE FOR SYSTEMS BIOLOGY is the owner of the entire right, title and interest of U.S. Patent Application Serial No. 10/062,299, filed on January 31, 2002, as Attorney Docket Number P-IS 5150, and entitled GENE DISCOVERY FOR THE SYSTEM ASSIGNMENT OF GENE FUNCTION, and any subsequently filed divisional, continuation, or reissue application, including international and foreign applications claiming priority thereto.

The Assignee hereby appoints the following attorneys to prosecute these applications and to transact all related business in the United States Patent and Trademark Office and any international and foreign patent offices:

CATHRYN CAMPBELL, Registration No. 31,815; DAVID A. GAY, Registration No. 39,200; CALVIN A. FAN, Registration No. 38,444; ANDREA L. GASHLER, Registration No. 41,029; JAMES J. WONG, Registration No. 34,949; DEBORAH L. CADENA, Registration No. 44,048; MELANIE K. WEBSTER, Registration No. 45,201; ASTRID R. SPAIN, Registration No. 47,956; KIMBERLY J. PRIOR, Registration No. 41,483; JOHN T. MURPHY, Registration No. 50,583; and PAMELA M. GUY, Registration No. 51,228.

Please direct all telephone calls to Cathryn Campbell at (858) 535-9001 and address all correspondence to:

CATHRYN CAMPBELL
CAMPBELL & FLORES LLP
4370 La Jolla Village Drive
7th Floor
San Diego, California 92122
USPTO CUSTOMER NO. 23601

The undersigned is authorized to sign on behalf of the Assignee.

Signature: 

Name (typed): G. Michael Arnold

Title: Vice President and Chief Operating Officer

Assignee: THE INSTITUTE FOR SYSTEMS BIOLOGY

Date: 9/20/02

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STATEMENT UNDER 37 C.F.R. § 3.73(b)

Title of Application: GENE DISCOVERY FOR THE SYSTEM ASSIGNMENT OF GENE FUNCTION

Application Ser. No.: 10/062,299

Filed: January 31, 2002

Inventors: Hood et al.

Attorney Docket No.: P-IS 5150

THE INSTITUTE FOR SYSTEMS BIOLOGY states that it is an assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from one of the inventors of the application. A copy of the executed assignment, submitted for recording, is attached hereto as documentary evidence of the chain of title to the assignee.

The undersigned is empowered to sign this statement on behalf of the assignee.

Date: 9/20/02 Signature: G Michael Arnold

Name: G. Michael Arnold

Title: Vice President and Chief Operating Officer

COPY

ASSIGNMENT

This Assignment is made by Leroy E. Hood, of Seattle, Washington, Andrew F. Siegel, of Shoreline, Washington, and Trey E. Ideker, of Cambridge, Massachusetts, Assignors, to THE INSTITUTE FOR SYSTEMS BIOLOGY, Assignee, having a place of business at 1441 North 34th Street, Seattle, Washington.

WHEREAS, Assignors have invented a new and useful method for GENE DISCOVERY FOR THE SYSTEM ASSIGNMENT OF GENE FUNCTION for which an application for United States Letters Patent was filed on January 31, 2002, in the United States Patent and Trademark Office, bearing Serial No. 10/062,299, and identified as Attorney Docket No: P-IS 5150;

WHEREAS, Assignors believe themselves to be the original inventors of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, the parties desire to have a recordable instrument assigning the entire right, title and interest in and to said invention, said application and any Letters Patent that may be granted for said invention in the United States and throughout the world;

NOW, THEREFORE, in accordance with the obligations to assign the invention and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignors sell, assign, and transfer to Assignee, the entire right, title, and interest in and to said invention, said application, any applications entitled to benefit of priority to said application under Title 35, United States Code, Sections

120, 121 or 251, which include divisionals, continuations and reissues, and any Letters Patent that may be granted on said invention or these applications in the United States and throughout the world, including the right to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties, or otherwise.

Assignors agree that, upon request and without further compensation, but at no expense to Assignors, they and their legal representatives and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing, or enforcing Letters Patent in the United States and throughout the world for said invention, and for perfecting, recording, or maintaining the title of Assignee, its successors and assigns, to said invention, said application, and any Letters Patent granted for said invention in the United States and throughout the world.

Assignors represent and warrant that they have not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignors authorize and request that any United States or foreign Letters Patent granted for said invention, whether on said application or on any subsequently filed divisional,

continuation or reissue application, be issued to Assignee, its successors and assigns, as the assignee of the entire interest in said invention.

IN WITNESS WHEREOF, Assignors have executed this Assignment on the date(s) provided below.

Assignor: Leroy E. Hood

Leroy Hood 8/16/02
Signature Date

STATE OF Washington)
COUNTY OF King)

On August 16, 2002, before me, Timothy J. McBride personally appeared Leroy Hood, ✓ personally known to me - OR - ___ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS by hand and official seal.

(Signature of Notary)

TIMOTHY J. MCBRIDE STATE OF WASHINGTON 1999 REGISTERED NOTARY PUBLIC

EXPIRES: 09/01/2004

Assignor: Andrew F. Siegel

Andrew F. Siegel 9/5/02
Signature **Date**

STATE OF Washington)
COUNTY OF King)

On 9/5/02, before me, Twana Johnson personally appeared Andrew F Siegel, ✓ personally known to me - OR - ___ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS by hand and official seal.

Twana Johnson
(Signature of Notary)

TWANA K. JOHNSON
STATE OF WASHINGTON
1889
REGISTERED
NOTARY PUBLIC
EXPIRES: 09/01/2004

Assignor: Trey E. Ideker

Trey Ideker 9/11/02

Signature Date

STATE OF ~~Massachusetts~~)
COUNTY OF Middlesex)

On September 11, 2002, before me, Clotilda M. Ware Trey E. Ideker personally appeared _____, ___ personally known to me - OR - ___ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS by hand and official seal.

Clotilda M. Ware

(Signature of Notary)

CLOTILDA M. WARE, Notary Public
My Commission Expires June 14, 2007